

FORM PTO-1390  
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C.371**

UFJ-002US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) -

60/110,334 09/856766

INTERNATIONAL APPLICATION

PCT/US99/28331

INTERNATIONAL FILING DATE

30 November 1999

PRIORITY DATE CLAIMED

30 November 1998

TITLE OF INVENTION

**MANGANESE SUPEROXIDE DISMUTASE REGULATORY ELEMENTS  
AND USES THEREFORE**

APPLICANT(S) FOR DO/EO/US

**Harry S. NICK, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C.371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (**Unexecuted**) (4 sheets)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

**Transmittal Letter (2 sheets in duplicate); copy of PCT International Published Application (WO 00/32801) (with International Search Report attached) (125 sheets); copy of PCT Notification Concerning Submission of Priority Document (USSN 60/110,334, filed 30 November 1998) (PCT/IB304) (1 sheet); copy of PCT Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308) (1 sheet); copy of PCT Written Opinion (12 sheets); copy of PCT International Preliminary Examination Report (13 sheets); Check in the amount of \$705.00 (filing fee) (based on small entity); Certificate of Express Mailing (1 sheet); and Return Postcard.**

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>09/856766</b>		INTERNATIONAL APPLICATION NO. PCT/US99/28331		ATTORNEY'S DOCKET NO. UFJ-002US	
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17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) .(a/o November 1, 2000):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1000  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$860  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.455(a)(2)) paid to USPTO .....\$710  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$690  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100  <div style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				<b>CALCULATIONS PTO USE ONLY</b>          <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: right;">\$860.00</td> <td style="width:50%;"></td> </tr> </table>		\$860.00	
\$860.00							
Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00			
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>				
Total claims	30-20 =	10	X \$18.00	\$180.00			
Independent claims	6-3 =	3	X \$80.00	\$240.00			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 270.00	\$0			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,410.00</b>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$705.00			
<b>SUBTOTAL =</b>				<b>\$705.00</b>			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0			
<b>TOTAL NATIONAL FEE =</b>				<b>\$705.00</b>			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0			
<b>TOTAL FEES ENCLOSED =</b>				<b>\$705.00</b>			
				Amount to be:	\$		
				refunded			
				charged	\$		

  

a. ☒ A check in the amount of \$705.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit  
 any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**Jane E. Remillard**  
**Lahive & Cockfield, LLP**  
**28 State Street**  
**Boston, MA 02109**  
**(618) 227-744**  
**Date: 24 May 2001**

*Jane Remillard* 5/24/01  
 \_\_\_\_\_  
 SIGNATURE  
**Jane E. Remillard**  
 \_\_\_\_\_  
 NAME  
**38,872**  
 \_\_\_\_\_  
 REGISTRATION NUMBER

09/856766

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)  
(National Phase of International App.: PCT/US99/28331)

In re the  
application of: **Harry S. NICK, et al.**

International Application No.: **PCT/US99/28331**

International Filing Date: **30 November 1999**

U.S. Serial No.: **Not yet assigned**

Filed: **Herewith**

For: **MANGANESE SUPEROXIDE DISMUTASE  
REGULATORY ELEMENTS AND USES  
THEREFORE**

Attorney Docket No.: **UFJ-002US**

Commissioner for Patents  
BOX PCT  
Washington, D.C. 20231

Certification Under 37 CFR 1.10

I hereby certify that the attached:

Transmittal Letter (2 sheets in duplicate); copy of PCT International Published Application (WO 00/32801) (with International Search Report attached) (125 sheets); copy of PCT Notification Concerning Submission of Priority Document (USSN 60/110,334 filed 30 November 1998) (PCT/IB/304); copy of PCT Notice Informing the Applicant of the Communication of the International Application to the Designated Office (PCT/IB/308); copy of PCT Written Opinion (12 sheets); copy of PCT International Preliminary Examination Report (13 sheets); Unexecuted Declaration, Petition and Power of Attorney (4 Sheets); filing fee check in the amount of \$705.00 (based on small entity) and Return Postcard are being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. **EL 542 541 385 US**, under 37 CFR 1.10 on the date indicated below and is addressed to the BOX PCT, Commissioner for Patents, Washington, D.C. 20231.

Date: May 24, 2001

Name: Viriato G. Cardoso

Signature: Viriato G. Cardoso